

# PROCLAMATION

BY THE

## Governor of the State of Texas

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TO ALL TO WHOM THESE PRESENTS SHALL COME:

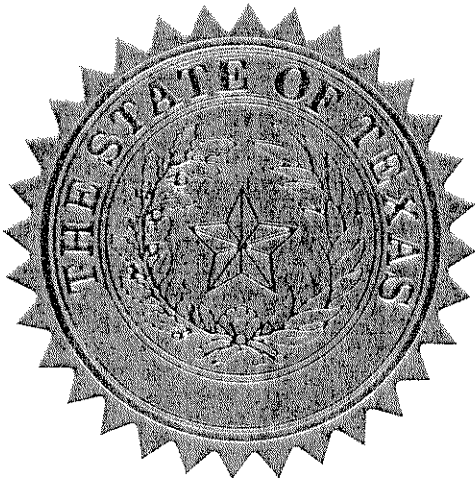
Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto House Bill No. 3152 as passed by the Seventy-Ninth Texas Legislature, Regular Session, because of the following objections:

House Bill No. 3152 would establish new requirements for the waiver of counsel in all criminal cases – even those punishable only by a fine, such as a traffic offense. There are a number of instances in which it is beneficial for prosecutors and defendants without attorneys to initiate discussions regarding a guilty plea or referral to trial. This bill would inhibit prosecutors' ability to seek plea bargains on minor offenses, resulting in a backlog of cases and an undue burden on the municipal, justice of the peace and county court systems.

I have heard from prosecutors who argue that this bill would create tremendous confusion in our courts and could jeopardize hundreds of thousands of convictions. Under this bill, persons who wish to negotiate with prosecutors to resolve their cases would be prohibited from doing so unless a specific waiver is filed, and neither a judge nor a prosecutor could ask a defendant to file the waiver.

Current law and court decisions provide adequate protections for defendants who wish to waive their right to an attorney.

Since the Legislature by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.



IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 17th day of June, 2005.

*Rick Perry*  
RICK PERRY  
Governor of Texas

ATTESTED BY:

*Roger Williams*  
ROGER WILLIAMS  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:30 pm O'CLOCK

JUN 17 2005